

UNITED STATES DISTRICT COURT

Jury demand date: 67-C-128 by def. 8-21-67

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS					
<p>United States of America, vs No 67-C-128</p> <p>20.26 Acres, More or Less, in Rogers County, Oklahoma, including all accretions and riparian rights thereto, and Julius A. Burson, et al., and Unknown Owners,</p> <p>United States of America, vs No. 67-C-129</p> <p>8.04 Acres, More or Less, in Rogers County, Oklahoma, including all accretions and riparian rights thereto, and James L. Martin, Jr., et al., and Unknown Owners</p> <p>United States of America, vs No. 67-C-130</p> <p>23.75 Acres, More or Less, in Rogers County, Oklahoma, including all accretions and riparian rights thereto, and Chloe M. Mooney, et al., and Unknown Owners,</p>		<p>For plaintiff:</p> <p>Lawrence A. McSoud, Hubert A. Marlow, 460 U. S. Courthouse, Tulsa, Oklahoma, 74103</p> <p>For defendant:</p> <p>(67-C-128) (67-C-129) Harvey H. Dody, N.A. Gibson and R.R. Williamson, Jr. Commissioners of the Land Office State Capitol, Okla. City, Okla. 73105</p> <p>R. Forney Sandlin (Tr. 131-67-C-130) 1010 Barnes Bldg., Muskogee, Ok. 74401</p> <p>Geo. P. Striplin (67-C-128) 67-3436 Franklin Bldg., Tulsa, Okla.</p> <p>Feagins & Summerlin Bx 99, Claremore 74017 (67-C-128)</p>					
STATISTICAL RECORD	COSTS	DATE NAME OR RECEIPT NO. REC. DISB.					
J.S. 5 mailed 3-8-67	Clerk						
J.S. 6 mailed (67-C-130) 5-1-69 (67-C-129) 1-1-70 (67-C-128) 9-1-71	Marshal						
Basis of Action: Condemnation of land for construction of Lock and Dam No. 18, Verdigris River, Okla.	Docket fee Witness fees						
Action arose at: Rogers County	Depositions						

1967 DATE	PROCEEDINGS	Date Order or Judgment Noted
7-19-67	Complaint, filed. e	
7-19-67	Declaration of Taking, filed. e	
7-19-67	Motion for order for delivery of possession, filed. e	
7-19-67	Notice to respondents, filed. e	
7-20-67	Order for delivery of possession of Tracts Nos. 151E and 152E (67-C-128) Tract No. 154E (67-C-129, and Tract No. 331 (67-C-130), filed. (Allen E. Barrow - Judge) b	
8-2-67	Return on service of writ filed in 67-C-128. Served Julius A. Burson and Freddie E. Burson at Tulsa, Oklahoma, on 7-27-67. (\$14.64) Served County Assessor, County Treasurer and Board of Co. Commissioners all of Rogers County, Oklahoma, and First National Bank of Claremore, at Claremore, Oklahoma, on 7-28-67. (\$18.00) (\$6.00) Served Bill Vaughn at Inola, Oklahoma, on 7-28-67. (\$6.00) Return unserved as to James Spurlock in the Northern District of Oklahoma, on 7-28-67.	
8-2-67	Return on service of writ in 67-C-129. Served James L. Martin, Jr. and Hazel A. Martin at Pryor, Oklahoma, on 7-28-67. (\$12.00) Served (67-C-130) Leo C. King at Tulsa, Oklahoma, on 7-27-67. (\$6.00) Served GRDA (67-C-130) by serving Doyle Stanislaus as General Manager, at Vinita, Oklahoma, on 7-28-67. (\$23.64). ds	
8-3-67	Separate answer of commissioners of the land office, State of Oklahoma, filed. (Tracts 151E and 152E) h (67-C-128)	
8-3-67	Separate answer of commissioners of the Land Office, State of Oklahoma, filed. (Tract No. 154E) (67-C-129) h	
8-7-67	Return on service of writ, filed. Served Chloe M. Mooney (\$9.20) and Area Director (\$8.00) both at Muskogee, Oklahoma, on 7-26-67. Served Ray Dean Spurlock at Claremore, Oklahoma, on 8-3-67. (\$12.72) Served Tax Commission, State of Oklahoma, at Oklahoma City, Okla, on 8-1-67. (\$6.72) Served Land Commission, State of Oklahoma, at Okla City, Okla, on 8-1-67. (\$6.00) ds	
8-17-67	Notice of appearance of Chloe M. Mooney as to Tract No. 331 (67-C-130) filed. b	
8-21-67	Objection to taking and objection to amount of award and demand for Jury as to Tract No. 154E. (Civil 67-C-128)h	
9-12-67	Motion for distribution of estimated compensation for Julius A. Burson and Freddie E. Burson filed. (67-C-128, Tracts Nos. 151E and 152E)h	
9-27-67	Order of distribution as to Tracts 151-E and 152-E, filed. ds (AEB-J) ds	
12-11-67	Order that objections filed by defendants, James L. Martin, Jr., and Hazel A. Martin, are overruled, filed. (AEB-J) w	
12-11-67	Hearing held on objections to taking and objections to amount of award and demand for jury as to Tr. No. 154E; objections overruled, and govern- ment to prepare proper order. (AEB-J)h	
3-22-68	Order of distribution as to Tract No. 331 filed. (Allen E. Barrow-Judge)h	
7-26-68	Deposition of Raymond B. Conard, for plaintiff, taken by Frank L. Peterson, on 6-25 and 25, 1968, \$66.50 paid by plaintiff, filed ds	
11-7-68	Pre-trial hearing held as to Tr. 151E and 152E(128), Tr. 154E(129), and Tr. 331 (130), and all tracts request jury trial. (AEB-J)h	
1-21-69	Order Denying Jury Trial and Appointing Commissioners, (AEB-J)Filed. js	
1-21-69	Instructions To Commissioners, filed, (AEB-J). js 67-C-128	
1-21-69	Order Denying Jury Trial & Appointing Commissioners, in 67-C-129, (AEB-J) filed. js	
1-21-69	Instructions To Commissioners, filed, (AEB-J) js (67-C-129)	
1-21-69	Order Denying Jury Trial and Appointing Commissioners, 67-C-130, (AEB-J) filed. js	
1-21-69	Instructions To Commissioners, 67-C-130 (AEB-J), filed. js	

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-11-69	Case No. 67-C-128 set for trial before Commissioners on Friday, Feb. 24, 1969, 9:30 A.M. g (Notice mailed)	
2-11-69	Case No. 67-C-129 set for trial before Commissioners on Friday, Feb. 28, 1969, 9:30 A.M. g (Notice mailed)	
2-11-69	Case No. 67-C-130 set for trial before Commissioners on Monday, March 17, 1969, 9:30 A.M. g (Notice mailed)	
2-28-69	Oath of office of commissioners in Case No. 67-C-129, Tract No. 154E, filed. m	
2-29-79	Request to Admit Facts, filed, by plaintiffs. js	
3-17-69	Oath of office of commissioners in Case No. 67-C-130, Tract 331, filed. g	
3-20-69	Claim of commissioners in Case No. 67-C-130, Tract No. 331, filed. m	
3-20-69	Report of commissioners in Case No. 67-C-130, Tract No. 331, filed. m (Notice mailed 3-20-69)g	
4-16-69	Judgment as to Tract No. 331 (Civil 67-C-130) filed and entered. (AEB-J)h	
4-18-69	Oath of office of commissioners, filed. ds (Tracts 151E and 152E)	
4-28-69	Order for Payment to Commissioners as to Tr. 331 (Civil 130) filed. h	
5-1-69	Claim of commissioners in Case 67-C-128, Tracts Nos. 151E and 152E, filed. m	
5-6-69	Report of commissioners in Case 67-C-128, Tracts Nos. 151E and 152E, filed. Notice mailed. g	
5-16-69	Objections to Report of Commissioners filed. (67-C-128 Tr. 151E and 152E)	
10-1-69	Order sustaining report of the commissioners, filed. (AEB-J)m (copies mailed)	
10-17-69	Pltf's motion to reconsider plaintiff's objections, with brief, filed. m (67-C-128)	
10-29-69	Motion of Julius A. Burson and Freddie E. Burson to confirm Commissioners' Report and for Judgment, filed. e (67-C-128)	
12-1-69	Stipulation as to just compensation, in tract No. 154E, filed. ds (67-C-129)	
12-3-69	Judgment filed and entered, in case No. 67-C-129, Tract No. 154E, (AEB-J) ds	
12-12-69	Order filed that motion to confirm Commissioners' report and for Judgment overruled and that motion to reconsider Plaintiff's objections is sustained and further ordered that the order of this court entered Oct. 1, 1969 is set aside and held for naught, and further order that the Objections filed by Government are sustained and this matter is remanded to the Commission with instructions to file an amended or supplemental report. (AEB-J)h (Tracts Nos. 151E and 152E) (Copies to commissioners by U.S. Atty.)	
3-4-70	Amended and Supplement Report of Commissioners as to 67-C-128, Tracts 151E and 152E, filed. Notice mailed. g	
3-16-70	Objections of USA to amended and supplemental report of commissioners, Tracts 151E and 152E, with brief attached, filed. g	
3-16-70	Defendant directed to file responsive brief within 10 days. (AEB-J)g	
3-18-70	Motion to confirm commissioners' amended and supplemental report and for judgment, filed. ds (Trs. 151E and 152E. ds	
3-26-70	Defendants' responsive brief to plaintiff's objections to commissioners' amended and supplemental report, filed. g	
4-14-70	Claim of commissioners, case No. 67C0128, Tracts 151E and 152E, filed. ds	
4-29-70	Claim of Commissioners in 67-C-129, Tract No. 154E, filed. m	
5-11-70	Order for payment to commissioners, filed. ds - Case No. 67-C-129	
5-11-70	Order for payment to commissioners, filed. ds - Case No. 67-C-128	
7-13-70	Trial Brief of Deft. Joe B. Hunt, et al, filed. js	
7-13-70	Trial Memorandum Brief of 3rd Party, deft. Ins. Co., filed. js	

over

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-12-70	Order sustaining plaintiff's objections to supplemental report, dis- charging commission and appointing new commission, filed. ds (AEB-J) (Case 67-c-128, Tracts No. 151E and 152E) <i>7/10/71</i>	
10-14-70	Case ^{67-C-128} set for trial before Commissioners, 9:30 A.M., 10-27-70. g	
10-19-70	Case ^{67-C-128} stricken from trial before Commrs. 10-27-70. g	
4-12-71	Order changing personnel of Commission in 67-C-128, filed. (AEB) (Bradford replaced by Stainer) cpies mailed. g	
4-12-71	Case (67-C-128) set for trial by Commissioners, Apr. 27, 1971, 9:30 A.M. g Notices mailed.	
7-13-71	Stipulation as to just compensation, filed. m	
8-25-71	Judgment, filed and entered, as to Tracts Nos. 151E and 152E (67-C-128). (AEB-J)m	